



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE October 16, 2020 LOCAL EFFECTIVE DATE October 20, 2020 APPROX FINAL EFFECTIVE DATE November 20, 2020	CONTACT/PHONE Ian Landreth (805) 781-1298 ilandreth@co.slo.ca.us	APPLICANT County of San Luis Obispo, Department of Parks and Recreation	FILE NO. DRC2020-00097
SUBJECT A request by the County of San Luis Obispo, Parks and Recreation Department for a Minor Use Permit/Coastal Development Permit to allow for the following improvements to the Cave Landing Natural Area Coastal Access/Trailhead parking: 1) Repair and maintenance of an existing parking area to provide up to 72 parking spaces (68 standard and four ADA accessible). 2) Installation of erosion and sedimentation controls 3) Addition of approximately 65 three to four-ton landscape boulders, two permanent trash/recycling enclosures, two bike racks, and 12 low profile signs. The project will result in the disturbance of approximately 1,650 cubic yards of fill and zero cut on approximately 1.05-acres of pre-disturbed area on a 26.83-acre parcel. A modification of the fencing and screening standards set forth in the Coastal Land Use Ordinance 23.04.190 is requested to waive fencing of the side and rear property lines to protect coastal views and access. The proposed project is within the Residential Rural land use category and is located at the south end of Cave Landing Road, approximately 3,000 feet south of the intersection of Cave Landing Road and Avila Beach Drive, east of the community of Avila Beach, in the San Luis Bay (Coastal) planning area.			
Approve Minor Use Permit DRC2020-00097 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION Also to be considered is the environmental determination that the project is categorically exempt under CEQA, pursuant to CEQA Guidelines Section 15031 (Class 1) and 15032 (Class 2). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062.			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION 23.07.104-Archeological Sensitive Area, 23.07.080 - Geologic Study Area, 23.07.160 - Sensitive Resource Area	ASSESSOR PARCEL NUMBER 076-231-062	SUPERVISOR DISTRICT(S) 3
PLANNING AREA STANDARDS: Site Planning - Development Plan Projects Sloping Sites, Shoreline Access - Mallagh Landing, Site Planning, Residential Rural -Mallagh Landing. <i>Does the project meet applicable Planning Area Standards: Yes - see discussion.</i>			
LAND USE ORDINANCE STANDARDS: 23.01.043- Coastal Appealable Zone, 23.04.180- Landscaping, 23.04.190 - Fencing and Screening, 23.04.420 Coastal Access, 23.05.034- Grading, 23.05.36 Sediment and Erosion Control, 23.05.42 Drainage Plan <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion.</i>			

<p>FINAL ACTION</p> <p>This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. If applicable, the tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing.</p> <p>The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.</p>
<p>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</p>

<p>EXISTING USES: Coastal access, trails, and parking lot</p>	
<p>SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Rural/ vacant, trails East: Single Family Residential/ City of Pismo Beach South: Pacific Ocean West: Residential Rural/ vacant, trails</p>	
<p>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Avila Valley Advisory Council, Public Works, Environmental Health, CalFire, APCD, Sheriff, and the California Coastal Commission.</p>	
<p>TOPOGRAPHY: Level to steep slopes</p>	<p>VEGETATION: Coastal scrub</p>
<p>PROPOSED SERVICES: Water supply: n/a Sewage Disposal: n/a Fire Protection: Cal Fire</p>	<p>ACCEPTANCE DATE: August 8, 2020</p>

DISCUSSION

Pirates Cove is a well-known clothing optional beach between Avila Beach and Shell Beach. This site has limited beach access and volunteer trails all served by the large parking lot at Cave Landing Road that was created in the 1970s when this property was owned by Unocal. Fill was placed over the existing parking area in the early 1990s as a measure to repair damage to the site resulting from activities associated with an oil pipeline rupture and resulting oil spill. In 2008, the County purchased this site, and an adjacent parcel, with the intent of preserving coastal access, open space and recreational opportunities.

In 2014 the County Board of Supervisors approved project DRC2011- 00069 on this site. That project was proposed to make this site a public park, with dawn to 10pm hours of operation and included: a multi-use trail, stairs to the beach, a paved parking lot, a gate to close the parking lot, a restroom, trash enclosures, and educational signs. This project was appealed to the California Coastal Commission (CCC) and in November 2014 the Coastal Commission approved only the trail and trash enclosures. Soon after, the project was withdrawn.

During the permit process, many people expressed concerns that the project was too much development and the hours of operation were too limited. The Coastal Commission agreed. In the six years since, the site remains a popular destination, however, the site has continued to deteriorate.

In an effort to protect this site and bring its management within the County Park System, the County Department of Parks and Recreation ("County Parks") held public workshops and held discussions about the future of the area with many of the sites users and interested parties including: the appellants of the previous permit, Chumash representatives, neighbors, residents of Avila Beach and Shell Beach, and trail users. The site is a prized beach access and trail head. The resulting collaboratively proposed project includes improving the parking lot, adding trash enclosures, and installing interpretive signs to educate people about the history of this special site. The proposed project also includes retaining the current clothing optional use of the beach, and inclusion of a maintenance and operations plan for the site.

MODIFICATIONS:

23.040190 - Fencing and Screening / Side and Rear Lot Lines. The side and rear property lines of all non-residential uses are to be screened as follows:

(i) Adjacent to a residential use or category: A solid wall or fencing is to be located on side and rear property lines of any non-residential or non-agricultural use abutting a residential use or land use category, except for parks, golf course greens and fairways.

(4) Modification of Fencing and Screening Requirements. Any of the requirements of this section may be waived or modified through Minor Use Permit approval, provided the Planning Director first finds that specifically identified characteristics of the site or site vicinity would make required fencing or screening unnecessary or ineffective.

Staff Comments: As provided in Section 23.040.190.b(4) the fencing and screening standard may be waived if specific conditions of the site and/or vicinity make the required fencing or screening unnecessary or ineffective. County Parks is requesting that the requirements of fencing the side and rear property lines of this site be waived because it would block coastal views and limit costal views and access from the adjacent trail to Shell Beach and the Ontario Ridge Trail. Fencing of the side and rear lot lines would be inconsistent with the shoreline access policies outlined in the Coastal Plan Policies making the fencing and screening requirement unnecessary.

COMBINING DESIGNATION:

23.07.080 - Geologic Study Area (GSA)

All uses within a Geologic Study Area are to be established and maintained in accordance with the following, as applicable:

- a. Grading: Any grading not otherwise exempted from the permit requirements of Sections 23.05.020 et seq. (Grading) is to be performed as engineered grading under the provisions of those sections.
- b. Seismic hazard areas: As required by California Public Resources Code Sections 2621 et seq. and California Administrative Code Title 14, Sections 3600 et seq., no structure intended for human occupancy shall be located within 50 feet of an active fault trace within an Earthquake Fault Zone.
- c. Erosion and geologic stability. New development shall insure structural stability while not creating or contributing to erosion, sedimentation or geologic instability.

Staff Comments: This project remains within the existing parking lot area which is a nearly level area. The required earthwork for this project includes no grading, only fill. The proposed project complies with the requirements of 23.07.080 for Geologic Study Area Special Standards. An engineering geology investigation has been completed and reviewed by the County Geologist (Blanchard, 2012).

23.07.104 - Archeological Sensitive Area

To protect and preserve archaeological resources, the following procedures and requirements apply to development within areas of the coastal zone identified as archaeologically sensitive.

- a. Preliminary site survey required. Before issuance of a land use or construction permit for development within an archaeologically sensitive area, a preliminary site survey shall be required. The survey shall be conducted by a qualified archaeologist knowledgeable in local Native American culture and approved by the Environmental Coordinator. The County will provide pertinent project information to the Native American tribe(s).
- b. When a mitigation plan is required. If the preliminary site survey determines that proposed development may have significant effects on existing, known or suspected archaeological resources, a plan for mitigation shall be prepared by a qualified archaeologist. The County will provide pertinent project information to the Native American tribe(s) as appropriate. The purpose of the plan is to protect the resource. The plan may recommend the need for further study, subsurface testing, monitoring during construction activities, project redesign, or other actions to mitigate the impacts on the resource. Highest priority shall be given to avoiding disturbance of sensitive resources. Lower priority mitigation measures may include use of fill to cap the sensitive resources. As a last resort, the review authority may permit excavation and recovery of those resources. The mitigation plan shall be submitted to and approved by the Environmental Coordinator and considered in the evaluation of the development request by the Review Authority.
- c. Archeological resources discovery. In the event archeological resources are unearthed or discovered during any construction activities, the standards of Section 23.05.140 of this title shall apply. Construction activities shall not commence until a mitigation plan, prepared by a qualified professional archaeologist reviewed and approved by the Environmental Coordinator, is completed and implemented. The County will provide pertinent project

information to the affected Native American tribe(s) and consider comments prior to approval of the mitigation plan. The mitigation plan shall include measures to avoid the resources to the maximum degree feasible and shall provide mitigation for unavoidable impacts. A report verifying that the approved mitigation plan has been completed shall be submitted to the Environmental Coordinator prior to occupancy or final inspection, whichever occurs first.

***Staff Comments** – The proposed project complies with the Archaeologically Sensitive Area requirements as outlined in 23.07.104 of the coastal Zone Land Use Ordinance. A cultural resources investigation was conducted and reviewed by the Environmental Coordinator for the property (SWCA Inc., September 2010) which identified archeological resources on the subject property and provided recommendations in the unlikely event that human remains are discovered. The project activities will take place within the existing disturbed parking area and mostly occur within the existing fill areas. Highest priority shall be given to avoiding disturbance of sensitive resources.*

23.07.160 - Sensitive Resource Area Minimum Site Design and Development Standards

All uses within a Sensitive Resource Area shall conform to the following standards:

- a. Surface mining is not permitted except in areas also included in an Energy and Extractive Resource Area combining designation by the Land Use Element. Where the dual designation exists, surface mining is allowed only after approval of surface mining permit and reclamation plan, approved in accordance with Section 23.08.180.
- b. Shoreline areas shall not be altered by grading, paving, or other development of impervious surfaces for a distance of 100 feet from the mean high tide line, 75 feet from any lakeshore, or 50 feet from any streambank, except where authorized through Development Plan approval. Where the requirements of the California Department of Fish and Game or other public agency having jurisdiction are different, the more restrictive regulations shall apply. Special requirements for setbacks from wetlands, streams, and the coastline are established by Sections 23.07.172 through 23.07.178.
- c. Construction and landscaping activities shall be conducted to not degrade lakes, ponds, wetlands, or perennial watercourses within an SRA through filling, sedimentation, erosion, increased turbidity, or other contamination.
- d. Where an SRA is applied because of prominent geological features visible from off-site (such as rock outcrops), those features are to be protected and remain undisturbed by grading or development activities.
- e. Where an SRA is applied because of specified species of trees, plants or other vegetation, such species shall not be disturbed by construction activities or subsequent operation of the use, except where authorized by Development Plan approval.

***Staff Comments:** The proposed project is located within a Sensitive Resource Area due to the Ontario Ridge viewshed as outlined in the San Luis Bay Coastal Area Plan. The project has been designed and complies with the viewshed requirements as outlined below in 23.04.210 -*

Visual Resources. The project is not impacting sensitive vegetation or species, will not include surface mining, and will not impact streams or lakes as none exist near the site. The project is located on previously disturbed areas as the historic use of the site has included a dirt parking area and trails. This project was designed to avoid and protect sensitive resources.

23.04.118 – Blufftop Setbacks

New development or expansion of existing uses proposed to be located adjacent to a beach or coastal bluff shall be located in accordance with the setbacks provided by this section instead of those provided by Sections 23.04.110 or 23.04.112.

- a. Bluff retreat setback method: New development or expansion of existing uses on blufftops shall be designed and set back from the bluff edge a distance sufficient to assure stability and structural integrity and to withstand bluff erosion and wave action for a period of 75 years without construction of shoreline protection structures that would in the opinion of the Planning Director require substantial alterations to the natural landforms along bluffs and cliffs. A site stability evaluation report shall be prepared and submitted by a certified engineering geologist based upon an on-site evaluation that indicates that the bluff setback is adequate to allow for bluff erosion over the 75-year period according to County established standards.

Staff Comments: The proposed project includes drainage features, boulders, signs, ADA parking spaces, garbage receptacles and bike racks which are accessory to the existing coastal accessway and parking lot and are not defined as new development or expansion of the existing use of the site; therefore this standard does not apply.

23.07.120 Local Coastal Program

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Program which have been outlined in this staff report.

23.01.043 Coastal Appealable Zone

The project is appealable to the Coastal Commission because the project is between the first public road and the ocean.

PLANNING AREA STANDARDS:

Site Planning - Development Plan Projects Sloping Sites

Development plan proposals for site with varied terrain are to concentrate developments on moderate slopes, retaining steeper slopes visible from public roads undeveloped.

Staff Comments: *The site has steep slopes, but the project stays within the existing footprint of the parking lot, which is on nearly level terrain.*

Shoreline Access - Mallagh Landing

New development shall be required to incorporate means to ensure that public access will be permitted on a permanent basis. Such assurance could include an offer-to-dedicate or a deed restriction. The extent of dedication and improvements, and the appropriate agency for

maintenance will be determined as a part of the Development Plan. The level of public access required must be consistent with the extent of development approved and the potential prescriptive rights which may exist in the area. However, the minimum requirement shall be a means of ensuring public use of the sandy beach and a bluff top area for parking. Other improvements which **may** be appropriate include:

- a. Parking area for 100 cars is to be improved. The parking area is to be surfaced with a permeable material to control bluff erosion. Selection of the site and improvement of the parking area is to be consistent with protection of the archaeological resources and geological conditions on the site.
- b. Parking area is to be enclosed with a low-level fence of natural materials to contain vehicular use. Areas disturbed by vehicle overuse should be revegetated.
- c. The parking area is to be landscaped with native trees and vegetation.
- d. Restrooms and trash receptacles are to be provided.
- e. Pedestrian trail to the beach is to be improved extending from the parking area.
- f. Pedestrian and bicycle access way is to be maintained and signed to allow access from Shell Beach.

Staff Comments: The project complies with the above requirements as proposed. County Department of Parks and Recreation provides recreational and natural areas to the public. This project will ensure public access to the beach and area trails along with providing maintenance of the site. This project will include most of the elements called for in the area plan standard. Including a 72-car parking area that is surfaced in road base rock, a permeable material. The existing pathways to the beach and to Shell Beach will remain, 65 boulders will serve as a natural vehicle barrier delineating the parking area, and areas disturbed during construction will be landscaped with native erosion control plantings.

This project does not increase the parking area to accommodate 100 cars as that would impact a sensitive resource in the immediate area. The restroom and improved beach access called out in this area plan are not included in this project as these elements have met community and regulatory opposition. Monitoring of the use of the area has been required as a condition of approval. This is intended to identify, based on use, if additional improvements are warranted to protect sensitive coastal resources such as cultural resources or environmentally sensitive habitats.

Site Planning

Development Plan Projects - Projects requiring Development Plan approval are to concentrate proposed uses in the least sensitive portions of properties. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas and shall be compatible with the continuance of such habitat areas. Native vegetation is to be retained as much as possible.

Staff Comments: The project complies with this requirement as the project area is located on previously disturbed areas. The project will enhance the site as one of the project goals includes eliminating major erosion issues in the existing dirt parking areas and including bio-swales for drainage of the site. Monitoring of the use of the area has been required as a condition of

approval. This is intended to identify, based on use, if additional improvements are warranted to provide safety to users, and protect sensitive coastal resources such as cultural resources or environmentally sensitive habitats.

Residential Rural -Mallagh Landing

Permit Requirement. Development plan approval is required for all uses and the following standards apply to the project:

- a. A preliminary archaeological survey shall be required, site selection shall emphasize the protection of known archaeological sites.
- b. A geologic report shall be required to indicate areas of landslide risk, bluff erosion.
- c. Appropriate methods for ensuring public access and recreational use of Pirates Cove and the adjacent bluff top shall be identified.

Staff Comments - *This project is a coastal access improvement project that includes recreational and public access features discussed above. Site design avoids sensitive areas and risk of erosion and landslides by using only the flat already developed area of the site. Archaeology and geologic reports have been prepared for this site.*

LAND USE ORDINANCE STANDARDS:

23.04.164 Parking Design Standards- Requirements for parking space size, aisle width, and driveway standards are outlined within this section of the Coastal Zone Land Use Ordinance. Spaces are to be a minimum of 9 by 18 feet and the aisle is required to be at least 24 feet for 90-degree angled parking (standard parking as opposed to slightly angled parking spaces). The project complies with these requirements as conditioned.

Staff Comments- *The proposed project adds road base to the existing parking lot, includes drainage features, boulders, signs, ADA parking spaces, garbage receptacles and bike racks all which are accessory to the existing coastal accessway and parking lot. These accessory items are not a new development or expansion of the existing uses of the site; therefore, this standard does not apply.*

23.04.180 Landscaping - The purpose of this standard is to provide areas which can absorb rainfall and assist in reducing stormwater runoff; control erosion; preserve natural resources; and preserve and enhance native plant species.

Staff Comments - *This project complies with this standard because it will replant disturbed areas with native erosion control plants.*

23.04.190 Fencing and Screening - A solid wall or fencing is to be located on side and rear property lines of any non-residential or non-agricultural use abutting a residential use or land use category, except for parks, golf course greens and fairways. Any of the requirements of this section may be waived or modified through Minor Use Permit approval, provided the Planning Director first finds that specifically identified characteristics of the site or site vicinity would make required fencing or screening unnecessary or ineffective.

***Staff Comments-** This project will require a waiver of this standard that requires fencing along the side and rear property lines of this site. The fencing would block coastal views, coastal access and trails that go through the site, which is intended to be open to the public.*

23.04.420 Coastal Access Required -This project is a coastal access enhancement project that provides Coastal Access as required by this section.

23.05.030 Grading – The 1,650 cubic yards of earthwork proposed in this project is all adding fill to the parking lot. There are no cuts. The grading plan and will be done in compliance of the building code as required by this section.

23.05.042 Sedimentation and Erosion Control – This project proposes and will be conditioned to submit a Sedimentation and Erosion Control for review and approval by the County Public Works Department as required by this section.

23.05.040 Drainage Plan – This project proposes and will be conditioned to submit a drainage plan for review and approval by the County Public Works Department as required by this section

COASTAL PLAN POLICIES: if not N/A list policy nos. and add a discussion

Shoreline Access:	Policy No(s):1, 2, 4, 6, 7, 8, & 9
Recreation and Visitor Serving:	<input checked="" type="checkbox"/> N/A
Energy and Industrial Development:	<input checked="" type="checkbox"/> N/A
Commercial Fishing, Recreational Boating and Port Facilities:	<input checked="" type="checkbox"/> N/A
Environmentally Sensitive Habitats:	<input checked="" type="checkbox"/> N/A
Agriculture:	<input checked="" type="checkbox"/> N/A
Public Works:	Policy No(s): 7
Coastal Watersheds:	Policy No(s): 7, 9, 10
Visual and Scenic Resources:	<input checked="" type="checkbox"/> N/A:
Hazards:	Policy No(s): 1,3,7
Archeology:	Policy No(s): 1
Air Quality:	<input checked="" type="checkbox"/> N/A

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned.

COASTAL PLAN POLICY DISCUSSION:

Shoreline Access Policies

Policy 1- Protection of existing coastal access

This project is a coastal access enhancement project.

Policy 2 – New development between the shoreline and the first public road shall provide coastal access.

This project is a coastal access enhancement project.

Policy 4- Provide facilities to coastal accesses.

This project makes improvements to an existing coastal access parking lot and provides signs, trash cans and bike racks.

Policy 6- The level and intensity of shoreline access is consistent with public safety concerns related to bluff stability, trail improvement and provisions of adequate facilities.

This project proposes parking lot improvements, signs, trash cans, and a bikes rack to this coastal access site. A Trash and Public Safety Plan is included as a condition of approval. The plan will ensure the proposed project is providing adequate facilities for the high volumes of users at this coastal access point by monitoring litter, graffiti, criminal and public safety related issues.

The County Department of Parks and Recreation collaborated with many of the site's users and interested parties to design this project. Based on these discussions and the Coastal Commission's previous denial of a restroom on this site, the Department of Parks and Recreation did not include a restroom in this plan.

Due to the popularity of this area, the trash left as evidence, and public input, there may be a need for a restroom at this site to protect coastal resources. This project has been conditioned to monitor the type of and amount of trash left on the site for three years to document use and need for potential restroom facilities. A report shall be submitted to the Planning and Building Department for review and a determination if a restroom and/or additional trash enclosures are needed. Records will also be kept regarding any safety concerns including law enforcement or emergency response.

Policy 8 - Maximum access shall be provided in a manner that does not conflict with adjacent uses.

This project is enhancing an existing, coastal access, trailhead, and parking area. This level of passive recreation is allowed in the land use category and does not conflict with neighboring properties.

Policy 9 – Project shall restore and enhance shoreline access.

This project is restoring and enhancing this coastal access by restoring the eroded parking area and installing low impact drainage facilities, trash cans, ADA parking, interpretive signs, and bike racks.

Public Works

Policy 7- Development Plan/Coastal Development Permit.

The applicant is requesting approval of a Development Plan/Coastal Development Permit which is consistent with this policy.

Coastal Watersheds

Policy 7- Grading.

This project requires 1,650 cubic yards of earthwork, all adding fill to the parking lot. There are no cuts in the grading plan on near level slopes which is consistent with this policy that requires grading on slopes of less than 20%.

Policy 9 – Sediment and erosion control measures.

This project proposes and is conditioned to use appropriate sediment and erosion control measures complying with this policy.

Policy 10 – Drainage Provisions.

Site design shall ensure that drainage does not cause erosion. This project complies with this policy as proposed and conditioned.

Hazards

Policy 1 – Development near hazards.

All development near hazards shall be designed to minimize risk to humans and property. This project meets this policy by providing improved site drainage and repairing the existing parking lot.

Policy 3- Development Review in Hazards Area.

This site has been reviewed by a geologic engineer with regards to the geological hazards with recommendations to improve site drainage to aid geologic stability and operational requirement to close the site in large storms and ground shaking events. This project incorporates site drainage improvements and operational requirement are a condition of approval, meeting this policy.

Policy 7 – Geologic Study Area.

This project is located within the Geologic Study Area designation and complies with this policy because an engineering geology investigation was completed for this site and includes recommendations for construction and operation in this sensitive area.

Archeology

Policy 1- Protection of Archaeological Resources.

This project was designed to protect archaeological resources of the site and archeological surveys have been conducted. The project proposes and is conditioned that all earth disturbing activities in native soil will be completed under the instruction and oversight of a qualified archaeologist who is approved by the County Environmental Coordinator along with a Chumash representative.

Staff Comments: The County Department of Parks and Recreation collaborated with many of the site's users and interested parties to design this project. Based on these discussions and the Coastal Commission's previous denial of a restroom on this site, the Department of Parks and Recreation did not include a restroom in this plan.

Due to the popularity of this area, the trash left as evidence, and public input, there may be a need for a restroom at this site to protect coastal resources. This project has been conditioned to monitor the type of and amount of trash left on the site for three years to document use and need for potential restroom facilities. A report shall be submitted to the Planning and Building Department for review and a determination if a restroom and/or additional trash enclosures are needed.

COMMUNITY ADVISORY GROUP COMMENTS: The Avila Valley Advisory Council met after the deadline for this report. Staff will update the Hearing Officer with the recommendations of the advisory council.

AGENCY REVIEW:

Public Works- Recommended conditional approval in letter dated August 17, 2020.

Cal Fire (County Fire) – no response as of September 9, 2020

APCD – no response as of September 9, 2020

Sheriff - stated no issues with proposed project in an email dated August 11, 2020

California Coastal Commission – no response as of September 9, 2020

LEGAL LOT STATUS:

The one lot was legally created by deed at a time when that was a legal method of creating lots.

Staff report prepared by Ian Landreth and reviewed by Steve McMasters